

## **69th Session of the African Commission on Human and Peoples' Rights**

### **Statement under Item 5: Special Rapporteur on HRDs in Africa**

#### **DefendDefenders (East and Horn of Africa Human Rights Defenders Project)**

**Observer Status: No. 359**

**Speaker: Gentrix Barasa**

**Honourable Chairperson,**

**Honourable Commissioners,**

**State Delegates represented,**

**Distinguished ladies and gentlemen,**

AfricanDefenders and Defenddefenders welcome the report of the Special Rapporteur on Human Rights Defenders and Focal Point on Reprisals in Africa. We also welcome positive developments, in terms of policies, which have contributed to the creation of a positive working environment such as the signing of the 2021 Access to Information Bill in The Gambia and the drafting of a civil society law in Libya. We also recorded the release of 42 human rights defenders (HRDs) across Africa.

However, we echo the concerns raised in the Special Rapporteur's report about the challenges faced by HRDs. Despite the Commission passing Res. 475 (EXT.OS/XXXI) 2021 on the need to protect civic space and freedom of association and assembly during its 31st Extraordinary session, the working environment of HRDs in Africa has shown little to no improvement.

We condemn the continuous violation of fundamental human rights of the citizens of Nigeria especially those speaking out against impunity, corruption, and human rights abuses prevalent in the country. We are concerned with the harassment and allegations of torment of human rights defenders (HRDs), their family members, and legitimate political opponents in Nigeria by both state and non-state actors

**Honourable Chairperson,**

Since January 2021, we have documented 202 cases of human rights violations against HRDs, artists, and journalists. 34% of the cases were recorded in East and Horn of Africa, 27% from North Africa, 13% from Southern Africa, 11% from West Africa and 10% from Central Africa. Of these, 47 cases were violations against the freedom of association. We condemn states' increased weaponisation of laws to restrict the right to free association, such as in the instance of Algerian woman HRD Kamira Nait Sid who was arrested and charged with, among other charges, "belonging to a terrorist group" because of her NGO activities. HRD from the Democratic Republic of Congo (DRC) Parfait Muhani faces a similar situation because of his peaceful

defence of human rights NGO, LUCHA. He has been charged, among others, with 'criminal association.' In Uganda, the country's regulatory authority for non-governmental organisations, the NGO Bureau, suspended 54 organisations, including civil society organisations that have been vocal about human rights violations. These are just a few examples of trends and patterns we documented across Africa, including Kenya, Sudan, Angola, Nigeria, and Chad.

As the civic space continues to shrink, we witness an increase of African citizens standing up in the form of peaceful protests to claim their rights, such as in Eswatini, Chad, Nigeria, and Tunisia. Some states continue to respond to these protests with unwarranted and excessive force, as well as judicial harassment of HRDs who convene these peaceful protests. On 20 March 2021, HRD Mahamat Nour Ibedou was arrested during a peaceful demonstration in N'Djamena, Chad. Eight land rights activists from Taita Taveta, Kenya are facing jail time because of peaceful protests they organised to object to land-grabbing by a private developer.

**Honourable Chairperson,**

Recalling articles 7, 10 and 11 of the African Charter on Human and Peoples' Rights, we call on the Commission to urge States Parties to adhere to the Guidelines of Freedom of Association and Assembly and Policing Assembly and implement Res. 475 to change this dismal reality for HRDs across Africa.

Thank you.